IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8285 OF 2005

Suhas Laxman Kanhere. . .. Petitioner.

vs.

Shrimant Chatrapati Udayanraje
Pratapsinh Maharaj Bhosale
& Ors. . Respondents.

Mr. M.M. Sathaye for petitioner.
Mr. H.S. Venegaonkar for respondents.

CORAM : S.U. KAMDAR, J.
DATE : 15th December, 2005.

P.C.:

. The order challenged in the present petition is dated 18.10.2005 rejecting the application for striking off the defence of the respondent herein for non-compliance with the order dated 19.4.2005. However, the learned counsel appearing for the respondents states that he has complied with the order and has deposited the necessary amount as directed. In my opinion, in the aforesaid circumstances it is not necessary to take a view that the defence of the respondent should be struck

off in exercise of power under Order 39 Rule 11. In that view of the matter, there is no substance in the petitioner. Petition dismissed. No order as to costs.